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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: JUUL LABS, INC., MARKETING  
SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION

Case No. 3:19-md-02913-WHO

**DEFENDANTS JAMES MONSEES AND  
ADAM BOWEN'S NOTICE OF  
JOINDER AND JOINDER IN  
DEFENDANT JUUL LABS, INC.'S  
MOTIONS TO DISMISS AND FOR  
SUMMARY JUDGMENT AND NON-  
MANAGEMENT DIRECTOR  
DEFENDANTS' MOTIONS FOR  
SUMMARY JUDGMENT AND  
JUDGMENT ON THE PLEADINGS  
REGARDING PLAINTIFFS' AMENDED  
COMPLAINTS**

This Document Relates to:

*Cole Aragona v. Juul Labs, Inc. et al.*,  
Case No. 3:20-cv-01928;  
*Jordan Dupree v. Juul Labs, Inc. et al.*,  
Case No. 3:20-cv-03850;  
*Jennifer Lane v. Juul Labs, Inc. et al.*,  
Case No. 3:20-cv-04661;  
*Bailey Legacki v. Juul Labs, Inc. et al.*,  
Case No. 3:20-cv-01927;  
*Carson Sedgwick v. Juul Labs, Inc. et al.*,  
Case No. 3:20-cv-03882;  
*Matthew Tortorici v. Juul Labs, Inc. et al.*,  
Case No. 3:20-cv-03847

Date: August 22, 2025  
Time: 2:00 p.m.  
Ct rm: 2, 17<sup>th</sup> Floor  
Judge: Hon. William H. Orrick

**TO THIS HONORABLE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that Defendants James Monsees and Adam Bowen hereby join in the following motions filed by Defendant JUUL Labs Inc. (“JLI”) and arguments set forth therein:

- Motion to Dismiss In Part and Motion for Summary Judgment In Part, filed on May 23, 2025, in *Cole Aragona v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-01928, ECF No. 32.
- Motion to Dismiss In Part and Motion for Summary Judgment In Part, filed on May 23, 2025, in *Jordan Dupree v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-03850, ECF No. 33.
- Motion to Dismiss In Part and Motion for Summary Judgment In Part, filed on May 23, 2025, in *Jennifer Lane v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-04661, ECF No. 25.
- Motion to Dismiss In Part and Motion for Summary Judgment In Part, filed on May 23, 2025, in *Bailey Legacki v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-01927, ECF No. 32.
- Motion to Dismiss In Part and Motion for Summary Judgment In Part, filed on May 23, 2025, in *Carson Sedgwick v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-03882, ECF No. 25.
- Motion to Dismiss In Part and Motion for Summary Judgment In Part, filed on May 23, 2025, in *Matthew Tortorici v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-03847, ECF No. 28.

Each of the aforementioned motions apply equally to the claims brought against Messrs. Monsees and Bowen, and Messrs. Monsees and Bowen join these motions in full.

1           Additionally, Messrs. Monsees and Bowen hereby join in the following motions filed by  
 2 the Non-Management Director Defendants Riaz Valani, Nicholas Pritzker, and Hoyoung Huh  
 3 (“NMDs”):

- 4           • Motion for Summary Judgment and Judgment on the Pleadings Against Cole  
 5           Aragona, filed on May 23, 2025, in *Cole Aragona v. Juul Labs, Inc. et al.*, Case  
 6           No. 3:20-cv-01928, ECF No. 30.
- 7           • Motion for Summary Judgment and Judgment on the Pleadings Against Jordan  
 8           Dupree, filed on May 23, 2025, in *Jordan Dupree v. Juul Labs, Inc. et al.*, Case  
 9           No. 3:20-cv-03850, ECF No. 30.
- 10          • Motion for Summary Judgment and Judgment on the Pleadings Against Victoria  
 11          Cunningham and Jennifer Lane, filed on May 23, 2025, in *Jennifer Lane v. Juul*  
 12          *Labs, Inc. et al.*, Case No. 3:20-cv-04661, ECF No. 23.
- 13          • Motion for Summary Judgment and Judgment on the Pleadings Against Bailey  
 14          Legacki, filed on May 23, 2025, in *Bailey Legacki v. Juul Labs, Inc. et al.*, Case  
 15          No. 3:20-cv-01927, ECF No. 30.
- 16          • Motion for Summary Judgment and Judgment on the Pleadings Against Carson  
 17          Sedgwick, filed on May 23, 2025, in *Carson Sedgwick v. Juul Labs, Inc. et al.*,  
 18          Case No. 3:20-cv-03882, ECF No. 23.
- 19          • Motion for Summary Judgment and Judgment on the Pleadings Against Matthew  
 20          Tortorici, filed on May 23, 2025, in *Matthew Tortorici v. Juul Labs, Inc. et al.*,  
 21          Case No. 3:20-cv-03847, ECF No. 26.

22           Specifically, Messrs. Monsees and Bowen join in the NMDs’ arguments for judgment  
 23 on the pleadings, which apply equally to Messrs. Monsees and Bowen. In particular, the  
 24 NMDs’ arguments apply to Messrs. Monsees and Bowen for the following reasons.

25           (a) None of Plaintiffs’ strict liability claims are cognizable against Messrs. Monsees  
 26 and Bowen, who are not manufacturers or sellers of JUUL products and who, at all times,  
 27 acted exclusively through the corporate product manufacturer (JLI) and not in a way that was  
 28

1 distinct from JLI. Messrs. Monsees and Bowen are unaware of any cases holding an  
 2 individual officer or employee of a corporate manufacturer strictly liable for alleged actions  
 3 that were taken only through the corporate product manufacturer. Indeed, the few cases that  
 4 involved attempts to bring claims against individuals under these statutes support dismissing  
 5 these Plaintiffs' claims. For example, in *Reeves v. AcroMed Corp.*, 103 F.3d 442, 449 (5th  
 6 Cir. 1997), the court rejected claims under the Louisiana Product Liability Act brought against  
 7 an individual defendant who had "invented [the product at issue] and served as chairman of the  
 8 board" of the manufacturer. *Id.* Likewise, in *Chism v. CNH America, LLC*, the court  
 9 dismissed a product liability-based complaint against the president and owner of a company  
 10 that marketed, distributed, and sold hay balers. No. 2:07CV00150JLH, 2008 WL 495878, at  
 11 \*3 (E.D. Ark. Feb. 20, 2008) ("There is no reasonable basis for believing that the Supreme  
 12 Court of Arkansas would hold that an individual employee of a person or entity who is . . . a  
 13 supplier under the Arkansas Products Liability Act would be liable, along with the employer,  
 14 as a . . . supplier under the Arkansas Products Liability Act.").

15 (b) In *Jennifer Lane v. Juul Labs, Inc. et al.*, Case No. 3:20-cv-04661, the Tennessee  
 16 Products Liability Act ("TPLA") preempts Plaintiff's claims against Messrs. Monsees and  
 17 Bowen, who are not manufacturers or sellers under the TPLA.

18 Messrs. Monsees and Bowen reserve all rights to file other joinders and additional  
 19 motions.

20  
 21 Dated: May 27, 2025

JAMES N. KRAMER  
 KEVIN M. ASKEW  
**Orrick, Herrington & Sutcliffe LLP**

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 24 By: /s/ James N. Kramer  
 JAMES N. KRAMER

25  
 26 Attorneys for Defendant  
 James Monsees

1 Dated: May 27, 2025

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